

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DATA CARRIERS, LLC,

Plaintiff,

v.

WAL-MART STORES, INC. and
WAL-MART.COM USA, LLC,

Defendants.

C.A. No. 12-954-LPS

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

Plaintiff Data Carriers, LLC (“Plaintiff”) and Defendant Wal-Mart Stores, Inc. and Wal-Mart.com USA, LLC (collectively, “Defendants”) pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all Plaintiff’s claims in this action WITH PREJUDICE and all Defendants’ claims in this action WITHOUT PREJUDICE, subject to the terms of that certain agreement entitled “SETTLEMENT AND LICENSE AGREEMENT” and dated February 27, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: April 8, 2013

BAYARD, P.A.

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